

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 570

Introduced by Louden, 49; Christensen, 44; Dubas, 34; Hansen, 42

Read first time January 17, 2007

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to motor vehicles; to amend sections 60-301,
2 60-393, 60-395, 60-396, and 60-3,104, Revised Statutes
3 Cumulative Supplement, 2006; to provide for Gold Star
4 plates; to change provisions for message plates; to
5 harmonize provisions; to provide an operative date; and
6 to repeal the original sections.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 60-301, Revised Statutes Cumulative
2 Supplement, 2006, is amended to read:

3 60-301 Sections 60-301 to 60-3,220 and sections 2 and 3
4 of this act shall be known and may be cited as the Motor Vehicle
5 Registration Act.

6 Sec. 2. (1) The department shall design license plates
7 to be known as Gold Star plates. The department shall create
8 designs reflecting support for the United States Armed Forces
9 in consultation with the Department of Veterans' Affairs and the
10 Military Department. The Department of Veterans' Affairs shall
11 recommend the design of the plate to the Department of Motor
12 Vehicles. The design shall be selected on the basis of (a)
13 enhancing the marketability of the plates to supporters of the
14 United States Armed Forces and (b) limiting the manufacturing cost
15 of each plate to an amount less than or equal to the amount charged
16 for license plates pursuant to section 60-3,102. The department
17 shall make applications available for this type of plate when it
18 is designed. The department may adopt and promulgate rules and
19 regulations to carry out this section and section 2 of this act.

20 (2) One type of Gold Star plate shall be consecutively
21 numbered plates. The department shall:

22 (a) Number the plates consecutively beginning with the
23 number one, using numerals the size of which maximizes legibility
24 and limiting the numerals to five characters or less; and

25 (b) Not use a county designation or any characters other

1 than numbers on the plates.

2 (3) One type of Gold Star plate shall be personalized
3 message plates. Such plates shall be issued subject to the same
4 conditions specified for personalized message license plates in
5 section 60-3,118, except that a maximum of five characters may be
6 used.

7 Sec. 3. (1) A person may apply to the department for Gold
8 Star plates in lieu of regular license plates on an application
9 prescribed and provided by the department for any motor vehicle
10 or cabin trailer, except for a commercial truck registered for
11 over ten tons gross weight or a motorcycle. An applicant receiving
12 a Gold Star plate for a farm truck with a gross weight of over
13 sixteen tons or for a commercial truck or truck-tractor registered
14 for a gross weight of five tons or over shall affix the appropriate
15 tonnage decal to the plate. The department shall make forms
16 available for such applications through the county treasurers or
17 designated county officials. The license plates shall be issued
18 upon payment of the license fee described in subsection (2) of this
19 section and furnishing proof satisfactory to the department that
20 the applicant is a surviving spouse, whether remarried or not, or a
21 parent, grandparent, sibling, or child of a person who died while
22 on active duty in the military service of the United States. Only
23 one motor vehicle or trailer owned by the applicant shall be so
24 licensed at any one time.

25 (2) (a) Each application for initial issuance of

1 consecutively numbered Gold Star plates shall be accompanied by
2 a fee of fifteen dollars. An application for renewal of such
3 plates shall be accompanied by a fee of fifteen dollars. County
4 treasurers or designated county officials collecting fees for
5 renewals pursuant to this subdivision shall remit them to the State
6 Treasurer. The State Treasurer shall credit five dollars of the fee
7 for initial issuance and renewal of such plates to the Department
8 of Motor Vehicles Cash Fund and ten dollars of the fee to the
9 Nebraska Veteran Cemetery System Operation Fund.

10 (b) Each application for initial issuance of personalized
11 message Gold Star plates shall be accompanied by a fee of forty
12 dollars. An application for renewal of such plates shall be
13 accompanied by a fee of forty dollars. County treasurers or
14 designated county officials collecting fees for renewals pursuant
15 to this subdivision shall remit them to the State Treasurer. The
16 State Treasurer shall credit thirty dollars of the fee for initial
17 issuance and renewal of such plates to the Department of Motor
18 Vehicles Cash Fund and ten dollars of the fee to the Nebraska
19 Veteran Cemetery System Operation Fund.

20 (3) When the department receives an application for Gold
21 Star plates, the department shall deliver the plates to the county
22 treasurer or designated county official of the county in which the
23 motor vehicle or cabin trailer is registered. The county treasurer
24 or designated county official shall issue Gold Star plates in
25 lieu of regular license plates when the applicant complies with

1 the other provisions of the Motor Vehicle Registration Act for
2 registration of the motor vehicle or cabin trailer. If Gold Star
3 plates are lost, stolen, or mutilated, the licensee shall be issued
4 replacement license plates upon request and without charge.

5 (4) The owner of a motor vehicle or cabin trailer
6 bearing Gold Star plates may apply to the county treasurer or
7 designated county official to have such plates transferred to a
8 motor vehicle other than the vehicle for which such plates were
9 originally purchased if such vehicle is owned by the owner of the
10 plates. The owner may have the unused portion of the fee for the
11 plates credited to the other vehicle which will bear the plates
12 at the rate of eight and one-third percent per month for each
13 full month left in the registration period. Application for such
14 transfer shall be accompanied by a fee of three dollars. Fees
15 collected pursuant to this subsection shall be remitted to the
16 State Treasurer for credit to the Department of Motor Vehicles Cash
17 Fund.

18 (5) If the cost of manufacturing Gold Star plates at
19 any time exceeds the amount charged for license plates pursuant to
20 section 60-3,102, any money to be credited to the Nebraska Veteran
21 Cemetery System Operation Fund shall instead be credited first to
22 the Highway Trust Fund in an amount equal to the difference between
23 the manufacturing costs of Gold Star plates and the amount charged
24 pursuant to section 60-3,102 with respect to such plates and the
25 remainder shall be credited to the Nebraska Veteran Cemetery System

1 Operation Fund.

2 Sec. 4. Section 60-393, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 60-393 Any owner who has two or more motor vehicles
5 or trailers required to be registered under the Motor Vehicle
6 Registration Act may register all such motor vehicles or trailers
7 on a calendar-year basis or on an annual basis for the same
8 registration period beginning in a month chosen by the owner. When
9 electing to establish the same registration period for all such
10 motor vehicles or trailers, the owner shall pay the registration
11 fee, the motor vehicle tax imposed in section 60-3,185, and
12 the motor vehicle fee imposed in section 60-3,190 on each motor
13 vehicle for the number of months necessary to extend its current
14 registration period to the registration period under which all
15 such motor vehicles or trailers will be registered. Credit shall
16 be given for registration paid on each motor vehicle or trailer
17 when the motor vehicle or trailer has a later expiration date than
18 that chosen by the owner except as otherwise provided in sections
19 60-3,121 and 60-3,128 and section 3 of this act. Thereafter all
20 such motor vehicles or trailers shall be registered on an annual
21 basis starting in the month chosen by the owner.

22 Sec. 5. Section 60-395, Revised Statutes Cumulative
23 Supplement, 2006, is amended to read:

24 60-395 Except as otherwise provided in sections 60-3,121
25 and 60-3,128 and section 3 of this act, (1) upon transfer of

1 ownership of any motor vehicle or trailer, (2) in case of loss
2 of possession because of fire, theft, dismantlement, or junking,
3 (3) when a salvage branded certificate of title is issued, (4)
4 whenever a type or class of motor vehicle or trailer previously
5 registered is subsequently declared by legislative act or court
6 decision to be illegal or ineligible to be operated or towed on the
7 public roads and no longer subject to registration fees, the motor
8 vehicle tax imposed in section 60-3,185, and the motor vehicle
9 fee imposed in section 60-3,190, or (5) in case of a change in
10 the situs of a motor vehicle or trailer to a location outside of
11 this state, the registration shall expire and the registered owner
12 may, by returning the registration certificate, the license plates,
13 and, when appropriate, the validation decals and by either making
14 affidavit to the county treasurer or designated county official of
15 the occurrence of an event described in subdivisions (1) through
16 (4) of this section or, in the case of a change in situs,
17 displaying to the county treasurer or designated county official
18 the registration certificate of such other state as evidence of a
19 change in situs, receive a refund of that part of the unused fees
20 on motor vehicles or trailers based on the number of unexpired
21 months remaining in the registration period from the date of the
22 event, except that when such date falls within the same calendar
23 month in which the motor vehicle or trailer is acquired, no refund
24 shall be allowed for such month. The registered owner shall make
25 a claim for credit or refund of the unused fees within sixty days

1 after the date of the event or shall be deemed to have forfeited
2 his or her right to such refund. For purposes of this section, the
3 date of the event shall be, in the case of a transfer or loss,
4 the date of the transfer or loss, in the case of a change in the
5 situs, the date of registration in another state, in the case of
6 a legislative act, the effective date of the act, and in the case
7 of a court decision, the date the decision is rendered. Application
8 for registration or for reassignment of license plates and, when
9 appropriate, validation decals to another motor vehicle or trailer
10 shall be made within thirty days of the date of purchase.

11 Sec. 6. Section 60-396, Revised Statutes Cumulative
12 Supplement, 2006, is amended to read:

13 60-396 Whenever the registered owner files an application
14 with the county treasurer or designated county official showing
15 that a motor vehicle or trailer is disabled and has been
16 removed from service, the registered owner may, by returning
17 the registration certificate, the license plates, and, when
18 appropriate, the validation decals or, in the case of the
19 unavailability of such registration certificate or certificates,
20 license plates, or validation decals, then by making an affidavit
21 to the county treasurer or designated county official of such
22 disablement and removal from service, receive a credit for a
23 portion of the registration fee from the fee deposited with the
24 State Treasurer at the time of registration based upon the number
25 of unexpired months remaining in the registration year except as

1 otherwise provided in sections 60-3,121 and 60-3,128 and section 3
2 of this act. The owner shall also receive a credit for the unused
3 portion of the motor vehicle tax and fee based upon the number
4 of unexpired months remaining in the registration year. When the
5 owner registers a replacement motor vehicle or trailer at the time
6 of filing such affidavit, the credit may be immediately applied
7 against the registration fee and the motor vehicle tax and fee for
8 the replacement motor vehicle or trailer. When no such replacement
9 motor vehicle or trailer is so registered, the county treasurer
10 or designated county official shall forward the application and
11 affidavit, if any, to the State Treasurer who shall determine the
12 amount, if any, of the allowable credit for the registration fee
13 and issue a credit certificate to the owner. For the motor vehicle
14 tax and fee, the county treasurer or designated county official
15 shall determine the amount, if any, of the allowable credit and
16 issue a credit certificate to the owner. When such motor vehicle
17 or trailer is removed from service within the same month in which
18 it was registered, no credits shall be allowed for such month.
19 The credits may be applied against taxes and fees for new or
20 replacement motor vehicles or trailers incurred within one year
21 after cancellation of registration of the motor vehicle or trailer
22 for which the credits were allowed. When any such motor vehicle or
23 trailer is reregistered within the same registration year in which
24 its registration has been canceled, the taxes and fees shall be
25 that portion of the registration fee and the motor vehicle tax and

1 fee for the remainder of the registration year.

2 Sec. 7. Section 60-3,104, Revised Statutes Cumulative
3 Supplement, 2006, is amended to read:

4 60-3,104 The department shall issue the following types
5 of license plates:

6 (1) Amateur radio station license plates issued pursuant
7 to section 60-3,126;

8 (2) Boat dealer license plates issued pursuant to section
9 60-379;

10 (3) Bus license plates issued pursuant to section
11 60-3,144;

12 (4) Commercial truck and truck-tractor license plates
13 issued pursuant to section 60-3,147;

14 (5) Dealer or manufacturer license plates issued pursuant
15 to sections 60-3,114 and 60-3,115;

16 (6) Disabled veteran license plates issued pursuant to
17 section 60-3,124;

18 (7) Farm trailer license plates issued pursuant to
19 section 60-3,151;

20 (8) Farm truck license plates issued pursuant to section
21 60-3,146;

22 (9) Farm trucks with a gross weight of over sixteen tons
23 license plates issued pursuant to section 60-3,146;

24 (10) Fertilizer trailer license plates issued pursuant to
25 section 60-3,151;

1 (11) Film vehicle license plates issued pursuant to
2 section 60-383;

3 (12) Fleets of apportionable commercial vehicles license
4 plates issued pursuant to section 60-3,203;

5 (13) Gold Star plates issued pursuant to sections 2 and
6 3 of this act;

7 ~~(13)~~ (14) Handicapped or disabled person license plates
8 issued pursuant to section 60-3,113;

9 ~~(14)~~ (15) Historical vehicle license plates issued
10 pursuant to sections 60-3,130 to 60-3,134;

11 ~~(15)~~ (16) Local truck license plates issued pursuant to
12 section 60-3,145;

13 ~~(16)~~ (17) Motor vehicle license plates for motor vehicles
14 owned or operated by the state, counties, municipalities, or school
15 districts issued pursuant to section 60-3,105;

16 ~~(17)~~ (18) Motor vehicles exempt pursuant to section
17 60-3,107;

18 ~~(18)~~ (19) Motorcycle license plates issued pursuant to
19 section 60-3,100;

20 ~~(19)~~ (20) Nebraska Cornhusker Spirit Plates issued
21 pursuant to sections 60-3,127 to 60-3,129;

22 ~~(20)~~ (21) Nonresident owner thirty-day license plates
23 issued pursuant to section 60-382;

24 ~~(21)~~ (22) Passenger car having a seating capacity of ten
25 persons or less and not used for hire issued pursuant to section

1 60-3,100;

2 ~~(22)~~ (23) Passenger car having a seating capacity of
3 ten persons or less and used for hire issued pursuant to section
4 60-3,100;

5 ~~(23)~~ (24) Pearl Harbor license plates issued pursuant to
6 section 60-3,122;

7 ~~(24)~~ (25) Personal-use dealer license plates issued
8 pursuant to section 60-3,116;

9 ~~(25)~~ (26) Personalized message license plates for motor
10 vehicles and cabin trailers, except commercial trucks registered
11 for over ten tons gross weight, issued pursuant to sections
12 60-3,118 to 60-3,121;

13 ~~(26)~~ (27) Prisoner-of-war license plates issued pursuant
14 to section 60-3,123;

15 ~~(27)~~ (28) Purple Heart license plates issued pursuant to
16 section 60-3,125;

17 ~~(28)~~ (29) Recreational vehicle license plates issued
18 pursuant to section 60-3,151;

19 ~~(29)~~ (30) Repossession license plates issued pursuant to
20 section 60-375;

21 ~~(30)~~ (31) Trailer license plates issued for trailers
22 owned or operated by the state, counties, municipalities, or school
23 districts issued pursuant to section 60-3,106;

24 ~~(31)~~ (32) Trailer license plates issued pursuant to
25 section 60-3,100;

1 ~~(32)~~ (33) Trailers exempt pursuant to section 60-3,108;

2 ~~(33)~~ (34) Transporter license plates issued pursuant to
3 section 60-378;

4 ~~(34)~~ (35) Trucks or combinations of trucks,
5 truck-tractors or trailers which are not for hire and
6 engaged in soil and water conservation work and used for the
7 purpose of transporting pipe and equipment exclusively used by such
8 contractors for soil and water conservation construction license
9 plates issued pursuant to section 60-3,149;

10 ~~(35)~~ (36) Utility trailer license plates issued pursuant
11 to section 60-3,151; and

12 ~~(36)~~ (37) Well-boring apparatus and well-servicing
13 equipment license plates issued pursuant to section 60-3,109.

14 Sec. 8. This act becomes operative on January 1, 2008.

15 Sec. 9. Original sections 60-301, 60-393, 60-395, 60-396,
16 and 60-3,104, Revised Statutes Cumulative Supplement, 2006, are
17 repealed.